

### REMARKS

There are now pending in this application claims 11, 16-18, 21 and 22, of which claims 11 and 17 are independent. Claims 1, 3-10, 13-15, 19 and 20 have been cancelled without prejudice or waiver of their subject matter. Claims 21 and 22 are newly added.

In view of the above amendments and the following remarks, favorable reconsideration and allowance of the above application are respectfully sought.

Initially, Applicants submit together with this Preliminary Amendment an Information Disclosure Statement citing two Japanese references. Applicants have presented their comments on those references directly in the Information Disclosure Statement. Consideration of those references is respectfully sought.

The advantageous features of the present invention allows for it to obviate the occurrence of a wrinkle in an envelope when a swelling portion occurring in the envelope, and caused by the envelope passing a curved path, passes a fixing portion of the image forming device. In order to clarify this feature, Applicants have cancelled those claims directed to a sheet transport apparatus and have maintained only those claims directed to the entire image forming apparatus.

As the Examiner will appreciate, claim 11 is directed to the second embodiment in which a rotary member arranged away from the transport guide by a predetermined distance presses a swelling portion in an envelope. Claim 17 is directed to the first embodiment in which ribs press a swelling portion in an envelope.

Claims 11 and 17 were rejected under 35 U.S.C. § 102(b) as being anticipated by Ando et al. (U.S. Patent No 6,631,252). In view of the above amendments and the following comments, the rejections are respectfully traversed.

Turning first to independent claim 17, Applicants have amended claim 17, *inter alia*, to incorporate the subject matter of claim 19 which depended therefrom. Since claim 19 had been identified as being allowable once rewritten in independent form, Applicants respectfully submit that claim 17 has been placed in condition for allowance.

Independent claim 11 has been further amended to recite that there is a regulation portion disposed between the curved sheet transport path portion and the fixing portion in the sheet transport path, wherein the regulation portion comprises a transport guide and a rotary member and the rotary member is brought into contact with a swelling portion occurring on a surface of an envelope to press the swelling portion in the event that the envelope is fed out by the sheet feeding portion as the sheet. The aforementioned features are provided in order to obviate the occurrence of a wrinkle in the envelope that would be caused by a fixing portion pressing the swelling portion that was produced as a result of passing through the curved sheet transport path portion. The rotary member is arranged away from the transport guide by a predetermined distance so that when the envelope is swelled, the rotary member presses the swelling portion in the envelope.

Ando et al. is not understood to teach or suggest pressing a swelling portion in an envelope wherein the swelling portion was produced in a curved sheet transport path portion. Ando et al. Merely discloses a reduction of the abutment pressure between a heating roller and a

pressure roller of a fixing device for avoiding the wrinkling of an envelope. Thus Ando et al. does not disclose the invention as claimed in independent claim 11.

Nor does Ando et al. achieve the objectives of the present invention. Even if the fixing device of Ando et al. is said to correspond to the regulation portion of the claimed invention, Ando et al. does not disclose that the regulation portion should be disposed between the curved sheet transport path portion and the fixing portion. Thus, Ando et al. still differs from the present invention in the positioning of that regulation portion. Moreover, claim 11 recites that the regulation portion comprises a transport guide and a rotary member arranged away from the transport guide by a predetermined distance. In contrast, Ando et al. discloses the change in the pressure of the fixing roller. It does not provide for the rotary member arranged away from the transport guide by a predetermined distance. As such, Ando et al. differs in this additional aspect from the invention as recited in claim 11.

For the foregoing reasons, Applicants respectfully submit that each of independent claims 11 and 17 is patentable over the applied art of record.

The remaining claims in the above application are dependent claims which depend either directly or indirectly from one of the above-discussed independent claims and are therefore patentable for reasons noted above with respect to those claims. In addition, each recite features of the invention still further distinguishing it from the applied art. Favorable and independent consideration thereof is respectfully sought.

Applicants respectfully submit that this application is now in condition for allowance. Favorable consideration and early passage to issue are respectfully sought.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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